

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: EUDEN LEOPOLD ) Confirmation No: 3642  
Serial No. 10/587,920 )  
Filed: ) Art Unit  
For: REDUCTION OF BIURET AND ) Examiner  
FREE AMMONIA DURING A )  
METHOD FOR PRODUCING )  
FERTILIZER GRANULATES )  
CONTAINING UREA ) Attorney Docket 1-17498

---

May 28, 2008

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA, 22313-1450

**PETITION UNDER 37 CFR §1.8(b)**

Honorable Sir:

The commissioner is hereby requested, pursuant to the provisions of 37 CFR §1.10(e), to accord the papers filed on March 5, 2007 with that date as the official filing date, and to therefore withdraw the abandonment issued May 12, 2008.

In accordance with 1.10(e)(1) Applicants representative received a notice of Abandonment in the above-captioned patent application dated May 12, 2008. This

abandonment was issued on the basis of no proper reply being filed to the Notice of Missing Requirements of February 27, 2007.

In accordance with the provisions of 37 CFR 1.10(e)(2), a Response to Missing Requirements was mailed on March 5, 2007, and was "addressed as set out in §1.1(a) and deposited with the U.S. Postal Service with sufficient postage as Express Mail and included "a certificate for each piece of correspondence stating the date of deposit or transmission." The undersigned signed the certificate and had "reasonable basis to expect that the correspondence would be mailed or transmitted on or before the date indicated." The number on the Express Mail label was noted on the correspondence.

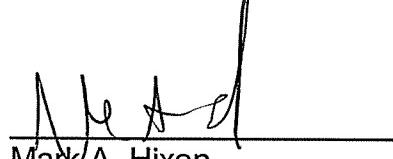
As evidence thereof in accordance with 37 CFR 1.10 (e)(3), please find attached hereto a date-stamped return receipt postcard indicating receipt by the USPTO of Response to Missing Requirements in this matter on March 5, 2007. Further, please find attached hereto a copy of check number 079366, which was received by the USPTO with this correspondence and was cashed by the USPTO. It is therefore submitted that this provides sufficient evidence that a Response to Missing Requirements was timely filed in the above-captioned matter, in accordance with 37 CFR 1.10, and was subsequently lost by the USPTO. This further illustrates that the fee for submission of Missing Requirements has been paid and that no further fees are due.

A copy of the Response to Missing Requirements of that date is enclosed herewith, along with copies of the above-referenced evidence. In accordance with 37 CFR 1.10 (e)(4) the undersigned states that the copies of the evidence cited here are true copies of the originally mailed correspondence.

In view of the above, which is believed to comply with all of the requirements of 37 CFR 1.10(e), it is respectfully requested that the **Response to Missing Requirements be accorded the filing date of March 5, 2007, and the Notice of Abandonment be withdrawn.**

It is believed that no fee is required for this petition as this error was made by the USPS. However, if a fee is required, please charge any required fees to Deposit Account number 13-1816.

MARSHALL & MELHORN, LLC



\_\_\_\_\_  
Mark A. Hixon  
Registration No. 44,766

ATTORNEYS

MARSHALL & MELHORN, LLC  
Four SeaGate/Eighth Floor  
Toledo, Ohio 43604  
(419) 249-7114  
[Hixon@marshall-melhorn.com](mailto:Hixon@marshall-melhorn.com)



**UNITED STATES PATENT AND TRADEMARK OFFICE**

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/587,920	Eugen Leopold	1-17498
1678 MARSHALL & MELHORN, LLC FOUR SEAGATE - EIGHTH FLOOR TOLEDO, OH 43604	INTERNATIONAL APPLICATION NO. PCT/EP05/00367	
	I.A. FILING DATE	PRIORITY DATE
	01/15/2005	02/05/2004

**CONFIRMATION NO. 3642**  
**371 ABANDONMENT/TERMINATION**  
**LETTER**



\*OC00000029742215\*

Date Mailed: 05/12/2008

**NOTIFICATION OF ABANDONMENT**

The United States Patent and Trademark Office in its capacity as a Designated / Elected Office (37 CFR 1.495) has made the following determination:

- Applicant has failed to respond to the notification of MISSING REQUIREMENTS (Form PCT/DO/EO/905), mailed 02/27/2007 within the time period set therein.

Therefore, the above identified application failed to meet the requirements of 35 U.S.C. 371 and 37 CFR 1.495, and is ABANDONED AS TO THE UNITED STATES OF AMERICA.

TERRY M JOHNSON-VESSELS

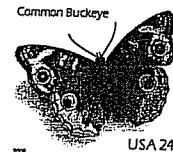
Telephone: (703) 308-9140 EXT 221

SERIAL NO. 10/587,920 FILED \_\_\_\_\_ CASE NO. 1-17498  
PATENT NO. \_\_\_\_\_ ISSUED \_\_\_\_\_ Unde  
APPLICANT(S): Eugen Leopold

PAPERS FILED HEREWITH: x FEES \$ 170.00 Clk# 079366  
x EXPRESS MAIL CERTIFICATE'S  
x Response to Notification of Missing Requirements (2pgs)  
x Copy of 371 Formalities Letter (2 pgs)  
x Transmittal Cover Letter PTO-1390 (3pgs) with copy of  
same (3pgs)  
x Executed Combined Declaration and Power of Attorney  
document (2pgs)  
x Assignment document for recordation with Recordation  
Cover Sheet PTO-1595 (3 pgs)

*MP6 Rec'd PCT/PTO 05 MAR 2007*

THE PATENT OFFICE MAIL ROOM DATE STAMP HEREON  
ACKNOWLEDGES RECEIPT OF THE ABOVE PAPERS



*MARK A. HIXON, ESQ.*  
**MARSHALL & MELHORN, LLC**  
FOUR SEAGATE - EIGHTH FLOOR  
TOLEDO, OHIO 43604



EV 659493810 US



Post Office To Address

ORIGIN (POSTAL SERVICE USE ONLY)		
PO ZIP Code <i>43603</i>	Day of Delivery <input checked="" type="checkbox"/> Next <input type="checkbox"/> 2nd <input type="checkbox"/> 2nd Del. Day	Postage <i>\$ 14.40</i>
Date Accepted <i>3 5 07</i>	Scheduled Date of Delivery <i>3 6</i>	Return Receipt Fee <i>\$</i>
Mo. Day Year <i>Mo. Day Year</i>	Month Day <i>Month Day</i>	COD Fee Insurance Fee <i>\$ \$</i>
Time Accepted <i>3:50 AM</i>	<input type="checkbox"/> Noon <input checked="" type="checkbox"/> 3 PM	Total Postage & Fees <i>\$ 14.40</i>
Flat Rate <input type="checkbox"/> or Weight <i>4.80 lbs.</i>	<input type="checkbox"/> 2nd Day <input type="checkbox"/> 3rd Day	Int'l Alpha Country Code <i>Acceptance Emp. Initials</i>

DELIVERY (POSTAL USE ONLY)

Delivery Attempt Mo. Day	Time <input type="checkbox"/> AM <input checked="" type="checkbox"/> PM	Employee Signature
Delivery Attempt Mo. Day	Time <input type="checkbox"/> AM <input checked="" type="checkbox"/> PM	Employee Signature
Delivery Date Mo. Day	Time <input type="checkbox"/> AM <input checked="" type="checkbox"/> PM	Employee Signature
<input type="checkbox"/> WAIVER OF SIGNATURE (Domestic Mail Only) Additional merchandise insurance is void if waiver of signature is requested. I wish delivery to be made without obtaining signature of addressee or addressee's agent if delivery employee judges that article can be delivered more safely and conveniently by leaving it at address or by leaving a note indicating where to find it. <input type="checkbox"/> NO DELIVERY <input type="checkbox"/> Weekend <input type="checkbox"/> Holiday <span style="float: right;">Customer Signature</span>		

CUSTOMER USE ONLY

METHOD OF PAYMENT:

Express Mail Corporate Acct. No.

Federal Agency Acct. No. or  
Postal Service Acct. No.

FROM: (PLEASE PRINT)

419 249-7100

PHONE ( )

MARSHALL & MELHURST  
4 SEAGATE FL C  
TOLEDO OH 43606-2000  
MAR/km

U010000-17498001

TO: (PLEASE PRINT)

PHONE ( )

Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

FOR PICKUP OR TRACKING: Visit [WWW.USPS.COM](http://WWW.USPS.COM) or Call 1-800-222-1811



CENTRAL STATION  
TOLEDO, Ohio  
436049998  
3800870105 -0096  
03/05/2007 (800)275-8777 03:52:20 PM

Product Description	Sales Receipt		
	Sale Qty	Unit Price	Final Price
ALEXANDRIA VA 22313 EM PO-Add Flat Rate 4.80 oz. Label #: EV659493810US Next Day Noon / Normal Delivery Customer Postage Subtotal:			\$14.40
			-\$14.40
			\$0.00
Total:			\$0.00

Paid by:

Bill#: 1000400617691  
Clerk: 10

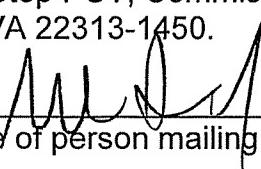
All sales final on stamps and postage.  
Refunds for guaranteed services only.  
Thank you for your business.  
Customer Copy

CERTIFICATE UNDER 37 CFR 1.10 OF MAILING BY "EXPRESS MAIL"

"Express Mail" Label Number EV 659493810 US

Date of Deposit March 5, 2007

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

  
\_\_\_\_\_  
Signature of person mailing correspondence

Mark A. Hixon

Typed name of person mailing correspondence

**EV 659493810 US**

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS  
UNDER 35 USC 371

Application No. 10/587,920

International Appln. No. PCT/EP2005/000367 filed 15 January 2005

Earliest Priority Date Claimed: 05 February 2004 (05.02.2004)

Title: Reduction of Biuret and Free Ammonia During a Method for Producing Fertilizer Granulates Containing Urea

Inventor: Eugen Leopold

Assignee: Uhde GmbH

Attorneys: Marshall & Melhorn, LLC

Attorney Docket No: 1-17498

MARSHALL & MELHORN, LLC

079366

COMMISSIONER OF PATENT & TRADEMARK 03/05/2007

\$170.00

Inv. Date Inv. No.  
03-05-07 U010000-17498001

Invoice Description  
Amount  
170.00

79366		Total:	\$170.00
THIS CHECK HAS VARIOUS SECURITY FEATURES INCLUDING COLORED BACKGROUND, MICROPRINTING & WATERMARK ON THE BACK.			
<b>MARSHALL &amp; MELHORN, LLC</b> ATTORNEYS AT LAW Four Seagate Toledo Ohio 48604 (419) 249-7100		079366 56-55 4/2 79366	AMOUNT \$170.00
<b>One Hundred Seventy and No/100 Dollars</b>		DATE 03/05/2007	CHCKS FOR \$5000 OR MORE REQUIRE TWO SIGNATURES <i>A. L. Marshall</i> <i>J. Melhorn</i>
COMMISSIONER OF PATENT & TRADEMARKS PAY TO THE ORDER OF			

"079366" 1041200555: "5575102479"

Express mail number EV 659493810 US

PTO-1390 (Rev. 09-2006)

Approved for use through 3/31/2007, OMB 0651-0021

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371</b>		ATTORNEY'S DOCKET NUMBER <b>1-17498</b>
		U.S. APPLICATION NO. (If known, see 37 CFR 1.5) <b>10/587,920</b>
INTERNATIONAL APPLICATION NO. <b>PCT/EP2005/000367</b>	INTERNATIONAL FILING DATE <b>15 January 2005 (15.01.2005)</b>	PRIORITY DATE CLAIMED <b>05 February 2004 (05.02.2004)</b>
TITLE OF INVENTION <b>Reduction of Biuret and Free Ammonia During a Method for Producing Fertilizer Granulates Containing Urea</b>		
APPLICANT(S) FOR DO/EO/US <b>Eugen Leopold</b>		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<p>1. <input type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a submission under 35 U.S.C. 371.</p> <p>2. <input checked="" type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a submission under 35 U.S.C. 371.</p> <p>3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</p> <p>4. <input type="checkbox"/> The US has been elected (Article 31).</p> <p>5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</p> <p>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). a. <input type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</p> <p>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made.</p> <p>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p>9. <input checked="" type="checkbox"/> An oath or declaration of the Inventor(s) (35 U.S.C. 371(c)(4)).</p> <p>10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p>		
<p><b>Items 11 to 20 below concern document(s) or information included:</b></p> <p>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</p> <p>12. <input checked="" type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>13. <input type="checkbox"/> A preliminary amendment.</p> <p>14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</p> <p>15. <input type="checkbox"/> A substitute specification.</p> <p>16. <input checked="" type="checkbox"/> A power of attorney and/or change of address letter. (combined with Declaration)</p> <p>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821- 1.825.</p> <p>18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).</p> <p>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4)</p>		

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/587,920	INTERNATIONAL APPLICATION NO. PCT/EP2005/000367	ATTORNEY'S DOCKET NUMBER 1-17498	
<p>20. Other items or information:            Express mail certificates; return receipt card; Response to Notification of Missing Requirements (2 pgs);            copy of 371 Formalities Letter (2 pgs)</p>			
The following fees have been submitted		CALCULATIONS PTO USE ONLY	
21. <input type="checkbox"/> Basic national fee (37 CFR 1.492(a))..... \$300		\$ -	
22. <input type="checkbox"/> Examination fee (37 CFR 1.492(c))		\$ -	
If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4). .... \$0 All other situations..... \$200			
23. <input type="checkbox"/> Search fee (37 CFR 1.492(b)) If the written opinion of the ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4). .... \$0 Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority..... \$100 International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB..... \$400 All other situations..... \$500		\$ -	
<b>TOTAL OF 21, 22 and 23 =</b>		-	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) in an electronic medium or computer program listing in an electronic medium) (37 CFR 1.492(l)). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.			
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE
- 100 =	/50 =		x \$250
Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).		\$ 130.00	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE
Total claims	- 20 =		x \$ 50
Independent claims	- 3 =		x \$200
MULTIPLE DEPENDENT CLAIM(S) (if applicable)		+ \$360	\$ -
		<b>TOTAL OF ABOVE CALCULATIONS =</b>	\$ 130.00
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by ½.			
		<b>SUBTOTAL =</b>	\$ 130.00
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).		+ \$ -	
		<b>TOTAL NATIONAL FEE =</b>	\$ 130.00
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property		+ \$ 40.00	
		<b>TOTAL FEES ENCLOSED =</b>	\$ 170.00
		Amount to be refunded:	\$
		Amount to be charged	\$

- a.  A check in the amount of \$ 170.00 to cover the above fees is enclosed.
- b.  Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ to cover the above fees. A duplicate copy of this sheet is enclosed.
- c.  The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 13-1816. A duplicate copy of this sheet is enclosed.
- d.  Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038. The PTO-2038 should only be mailed or faxed to the USPTO. However, when paying the basic national fee, the PTO-2038 may NOT be faxed to the USPTO.

**ADVISORY:** If filing by EFS-Web, do NOT attach the PTO-2038 form as a PDF along with your EFS-Web submission. Please be advised that this is not recommended and by doing so your credit card information may be displayed via PAIR. To protect your information, it is recommended paying fees online by using the electronic payment method.

**NOTE:** Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:  
 Customer Number 001678  
 Marshall & Melhorn, LLC  
 Four SeaGate - 8th Floor  
 Toledo, Ohio 43604

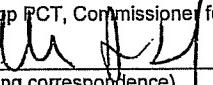
Phone: 419-249-7114  
 Fax: 419-249-7151



SIGNATURE  
 Mark A. Hixon  
 NAME  
 44,766  
 REGISTRATION NUMBER

"Express Mail" Label Number EV 659493810 US

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on March 5, 2007 and is addressed to Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

  
(Signature of person mailing correspondence)

Mark A. Hixon

(Typed name of person mailing correspondence)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	[ ]	Group Art Unit:
EUGEN LEOPOLD	[ ]	
Application No. 10/587,920	[ ]	
Filing Under 35 USC 371 in DO/EO/US of	[ ]	Examiner:
PCT/EP2005/000367 filed 15 January 2005	[ ]	
For: REDUCTION OF BIURET AND FREE	[ ]	Attorney Docket 1-17498
AMMONIA DURING A METHOD	[ ]	
FOR PRODUCING FERTILIZER	[ ]	
GRANULATES CONTAINING UREA	[ ]	

March 5, 2007

Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

### RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 USC 371

Honorable Sir:

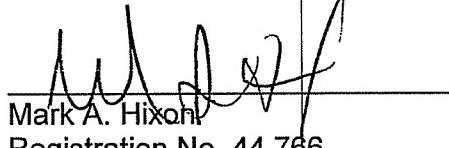
In response to the "Notification of Missing Requirements Under 35 USC 371 in the United States Designated/Elected Office (DO/EO/US)" dated February 27, 2007 (copy attached), enclosed is the Combined Declaration and Power of Attorney document executed on September 1, 2006, to complete the missing requirements in the above-captioned application which was filed in the U.S. Patent and Trademark Office, PCT Branch, on August 2, 2006, under 35 USC 371.

Also enclosed is an Assignment document from Eugen Leopold to Uhde GmbH  
for recording in the U.S. Patent and Trademark Office.

A check in the amount of \$170.00 is attached to cover the requisite fees for late  
filing of the executed Declaration (\$130.00) and recordation of the Assignment  
document (\$40.00).

Please charge any additional fees due or credit any overpayment to Deposit  
Account No. 13-1816.

Respectfully submitted,

  
Mark A. Hixon  
Registration No. 44,766

ATTORNEYS  
Customer Number 001678  
MARSHALL & MELHORN, LLC  
Four SeaGate - 8<sup>th</sup> Floor  
Toledo, Ohio 43604

Phone: (419) 249-7114  
Fax: (419) 249-7151



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/587,920	Eugen Leopold	1-17498
INTERNATIONAL APPLICATION NO.		
PCT/EP05/00367		
I.A. FILING DATE	PRIORITY DATE	
01/15/2005	02/05/2004	
CONFIRMATION NO. 3642		
371 FORMALITIES LETTER		
 *OC000000022645022*		

Date Mailed: 02/27/2007

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 08/02/2006
- English Translation of the IA filed on 08/02/2006
- Copy of the International Search Report filed on 08/02/2006
- Preliminary Amendments filed on 08/02/2006
- Information Disclosure Statements filed on 08/02/2006
- Oath or Declaration filed on 08/02/2006
- Request for Immediate Examination filed on 08/02/2006
- U.S. Basic National Fees filed on 08/02/2006
- Priority Documents filed on 08/02/2006
- Specification filed on 08/02/2006
- Claims filed on 08/02/2006
- Abstracts filed on 08/02/2006
- Drawings filed on 08/02/2006

*RECEIVED*  
*MAR 02 2007*  
*MARSHALL & MELHORN, LLC*

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath

or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130** Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.  
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at **1-866-217-9197** or visit our website at <http://www.uspto.gov/ebc>.

**If you are not using EFS-Web to submit your reply, you must include a copy of this notice.**

VONDA M WALLACE

---

Telephone: (703) 308-9140 EXT 225

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/587,920	PCT/EP05/00367	1-17498

FORM PCT/DO/EO/905 (371 Formalities Notice)

**COMBINED DECLARATION AND POWER OF ATTORNEY  
IN ORIGINAL APPLICATION  
(CONCERNING A FILING UNDER 35 USC 371)**

As a below named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name,

I believe that I am the original, first, and sole inventor (if only one name is listed below) or an original, first, and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled \_\_\_\_\_

REDUCTION OF BIURET AND FREE AMMONIA DURING A METHOD FOR  
PRODUCING FERTILIZER GRANULATES CONTAINING UREA

the specification of which

- is a filing under 35 USC 371 of PCT International Application No.  
PCT/EP2005/000367 filed 15 January 2005; and  
 is attached hereto.  
 was filed on August 2, 2006 as U.S. Application Number  
10/587,920 and was amended on August 2, 2006.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information, which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56,

- and which is material to the examination of this application, namely, information where there is a substantial likelihood that a reasonable Examiner would consider it important in deciding whether to allow the application to issue as a patent; and
- if this is a continuation-in-part application, information that occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application, in accordance with 37 CFR 1.63(e); and
- in compliance with this duty, there is attached an information disclosure statement, in accordance with 37 CFR 1.98.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-art applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

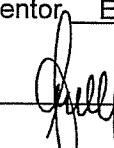
I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent, inventor's or plant breeder's certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)	Priority Claimed		
<u>102004005907.1</u>	<u>Germany</u>	<u>05 February 2004</u>	<input checked="" type="checkbox"/> X
(Number)	(Country)	(Day/Month/Year Filed)	Yes      No

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith with full power of substitution and revocation: Donald A. Schurr, Reg. No. 34,247; D. Edward Dolgorukov, Reg. No. 26,266; Mark A. Hixon, Reg. No. 44,766; Stephen P. Evans, Reg. No. 47,281; and Stephen G. Kimmet, Reg. No. 52,488. Address all telephone calls to Mark A. Hixon at telephone number 419-249-7114. Address all correspondence to MARSHALL & MELHORN, LLC, Four Seagate - 8th Floor, Toledo, Ohio 43604, Attention: Mark A. Hixon.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor Eugen LEOPOLD

Inventor's signature  Date 11.09.2006

Residence Emscherdelle 6, 44289 Dortmund, Germany

Citizenship Germany Post Office Address Same as above

Full name of second joint inventor \_\_\_\_\_

Inventor's signature \_\_\_\_\_ Date \_\_\_\_\_

Residence \_\_\_\_\_

Citizenship \_\_\_\_\_ Post Office Address \_\_\_\_\_